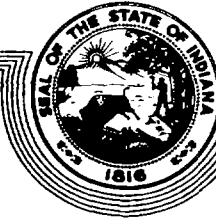


# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

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**PETITION OF NORTHERN INDIANA )  
PUBLIC SERVICE COMPANY FOR A )  
CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY )  
FOR THE CONSTRUCTION OF )  
CLEAN COAL TECHNOLOGY )  
UNDER IND. CODE § 8-1-8.7, et. seq., )  
APPROVAL OF THE USE OF )  
QUALIFIED POLLUTION CONTROL )  
PROPERTY UNDER IND. CODE )  
§ 8-1-2-6.6 AND AUTHORIZATION TO )  
DEFER AND AMORTIZE )  
DEPRECIATION AND OPERATION )  
AND MAINTENANCE EXPENSES )  
ASSOCIATED WITH CLEAN COAL )  
TECHNOLOGY. )**

**FILED**

**FEB 04 2003**

INDIANA UTILITY  
REGULATORY COMMISSION

**CAUSE NO. 42150**

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") made the following entry in this Cause:

On January 4, 2002, Northern Indiana Public Service Company ("Petitioner", "Company" or "NIPSCO") petitioned the Indiana Utility Regulatory Commission ("Commission") for: (a) a certificate, under Ind. Code § 8-1-8.7, that public convenience and necessity will be served by its proposed use of clean coal technology ("CCT") to comply with the federal NOx State Implementation Plan Call ("SIP" or "SIP Call") and related Indiana NOx SIP Call which requires NIPSCO to achieve a level of 0.15 lb./mmBtu at its electric generating plants by May 31, 2004; (b) approval of the anticipated use of the CCT as qualified pollution control property ("QPCP") under IC § 8-1-2-6.6; and, (c) for ratemaking treatment of the capital costs of, and operation and maintenance ("O&M") and depreciation expenses connected with, such QPCP.<sup>1</sup> NIPSCO also requested that the Commission conduct ongoing review of such Compliance Plan, under IC § 8-1-8.7-7.

The Commission issued on Order in this Cause on November 26, 2002, in which it approved the Petitioner's request. In its Order, the Commission determined that the Petitioner's request for ongoing review should be approved, and that NIPSCO could make its ongoing review filing under the clean coal technology statute in conjunction with its Environmental Cost Recovery Mechanism ("ECRM") semi-annual rate adjustment filings addressed in the Parties'

<sup>1</sup> The terms "CCT" and "QPCP" refer to the same facilities and are used interchangeably in this order.

Settlement Agreement. The Commission further determined that the ECRM semi-annual proceedings must be filed with the Commission, and the Commission must hold a hearing prior to approving or denying a proposed increase in the cost estimate for the implementation, construction, or use of the clean coal technology.

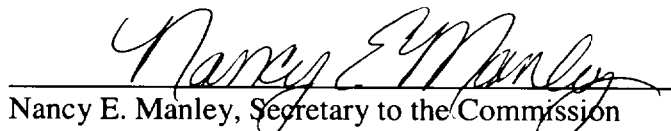
The Presiding Officers recognize that the ongoing review requested by the Petitioner will necessitate periodic filings relating to environmental cost issues over an extended period of time. In order for the Commission to effectively track the requests; to ensure the same designation is in place for each utility that has requested ongoing review; and to conserve the Commission's cause numbers, the Presiding Officers have determined that subsequent filings relating to ongoing review of the issues in this Cause should continue to utilize the 42150 Cause Number, but should also include a designation for *Environmental Cost Review* ("ECR"). Accordingly, the initial filing to be made by NIPSCO regarding its request for ongoing review should be filed as 42150 ECR 1. Subsequent requests for ongoing review should continue to follow this format.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
Judith G. Ripley, Commissioner

  
\_\_\_\_\_  
Scott R. Storms, Chief Administrative Law Judge

DATE 2/4/03

  
\_\_\_\_\_  
Nancy E. Manley, Secretary to the Commission